

Amend Section 361,
Title 14, California Code of Regulations
Re: Archery Deer Hunting

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The proposed change would create a single tag for archery seasons only in all four C zones. For consistency in the regulations the following modifications are necessary to accomplish this:

A) modify valid zone and season use for C Zone tags by removing zones C-2 and C-3 from general tag use during archery seasons in subsection 361(a);

B) modify existing Hunt A-1 from Zone C-1 Archery to C Zone Archery Only, valid only for archery seasons in Zones C-1, C-2, C-3, and C-4 in subsection 361(b);

C) delete Hunt A-2 (Zone C-4 Archery) in 361(b) due to redundancy with new Hunt A-1; and

D) modify valid zone use for Archery Only tags by removing zones C-2 and C-3 from list of valid zones in subsection 361(c).

2. Modify Season for Hunt A-22 Second Period

Existing regulations for Hunt A-22 provide for a split season, the second period which begins the first Saturday in December and extends to January 31. Current time lines for compliance with Environmental Document filing require that analysis of harvest and population modeling be completed by mid-January. In order to meet this deadline, harvest data must be available by the first week in January. The current timing of the A-22 second period season does not allow this to occur.

The current proposal would move the A-22 second period season end from January 31 to December 31, thus allowing sufficient time for the collection and analysis of harvest data and incorporation of this data into the Environmental Document analysis.

3. Modify Season for Hunt A-31

Existing regulations for Hunt A-31 provide for a hunting season beginning the fourth Saturday in September and extending to January 31. Current time lines for compliance with Environmental Document filing require that analysis of harvest and population modeling be completed by mid-January. In order to meet this deadline, harvest data must be available by the first week in January. The current timing of the A-31 season does not allow this to occur.

The current proposal would move the A-31 season end from January 31 to December 31, thus allowing sufficient time for the collection and analysis of harvest data and incorporation of this data into the Environmental Document analysis.

4. Delete Hunt A-23

Existing regulations for Hunt A-23, the Los Angeles Archery Antlerless Deer Hunt, provide for a season beginning the fourth Saturday in September and extending to January 31. In 1998, Hunt A-23 and Hunt A-31 (Los Angeles Archery Either-Sex Deer Hunt) area descriptions were modified such that they are identical. In addition, seasons and harvest objectives overlap, creating a duplication of effort. In order to reduce redundancy, this proposal would delete Hunt A-23 and maintain the existing A-31 either-sex hunt with a modification in tag numbers to account for the loss of A-23 hunting opportunity.

The proposed change would delete Hunt A-23 in order to reduce redundancy with Hunt A-31 harvest objectives without a reduction in hunter opportunity.

5. Establish New Archery Hunt A-32

Existing regulations provide deer hunting areas, seasons, bag and possession limits, and number of permits for Zone A. The zone currently provides early archery season deer hunting, with limited late season archery hunting, and no additional opportunity in the southern portion of the A Zone. In 1998, area description modifications to Hunts A-23 and A-31 removed this portion of the A-Zone from these hunt areas, thus reducing opportunities to many archery hunters. In addition, much of the area is located within the Los Angeles county firearms closure area, and the only method to achieve harvest objectives is through archery hunting. In an effort to increase deer hunting opportunity,

meet public demand for additional archery deer hunting opportunities, and meet approved deer herd plan management objectives, the proposal would establish a late season archery method hunt.

The proposal creates a new Area-specific archery hunt, A-32 (Ventura/Los Angeles Late Season Archery Either-Sex Deer Hunt). The hunt would be limited to archery methods only, in those portions of Ventura and Los Angeles counties within the A Zone. The season would begin the second Saturday in November and extend for 23 consecutive days with a bag and possession limit of one either-sex deer. The tag

range would be 50-300 tags. This proposal would meet a specific public demand for archery hunting which was eliminated by the modification of area boundaries for Hunts A-23 and A-31 in 1998. The proposed hunt would further assist in meeting harvest objectives and existing deer herd management plan recommendations within an area which is largely a firearms closure area.

6. Minor Editorial Changes To Hunt Titles

Existing regulations provide a Hunt Title followed by the Hunt Number for Area-specific Archery Hunts A-1 through A-31, the reverse of Additional Hunts described in subsection 360(c). Minor editorial changes are necessary for each Area-specific archery Hunt Title and Hunt Number for consistency with subsection 360(c) numbering and titling.

The proposed change would provide minor editorial changes for consistency with Hunt Numbering and Hunt Titles as in subsection 360(c) Additional Hunts.

Minor editorial changes are also necessary for consistency in subsection numbering, spelling, grammar and clarification.

7. Number of Tags

Existing regulations provide for the number of hunting tags for existing area-specific archery hunts. The proposal changes the number of tags for the listed hunts to a series of ranges as indicated in the table in the following table:

Number of Tags		
Hunt Number (and Title)	Current	Proposed
A-1 (C Zone Archery Only Tag)	480	150-3,000
A-3 (Zone X-1 Archery)	235	50-1,000
A-4 (Zone X-2 Archery)	25	25-200
A-5 (Zone X-3a Archery)	40	25-300
A-6 (Zone X-3b Archery)	90	25-400
A-7 (Zone X-4 Archery)	115	25-400
A-8 (Zone X-5a Archery)	15	15-100
A-9 (Zone X-5b Archery)	30	15-100
A-11 (Zone X-6a Archery)	135	25-300
A-12 (Zone X-6b Archery)	75	25-200
A-13 (Zone X-7a Archery)	40	25-200
A-14 (Zone X-7b Archery)	15	0-100
A-15 (Zone X-8 Archery)	150	25-200
A-16 (Zone X-9a Archery)	390	50-750
A-17 (Zone X-9b Archery)	300	50-600
A-18 (Zone X-9c Archery)	350	50-500
A-19 (Zone X-10 Archery)	120	25-200
A-20 (Zone X-12 Archery)	145	25-500
A-21 (Anderson Flat Archery Buck Hunt)	25	25-100
A-22 (San Diego Archery Either-Sex Deer Hunt)	1,000	100-1,000
A-24 (Monterey Archery Either-Sex Deer Hunt)	100	25-200
A-25 (Lake Sonoma Archery Either-Sex Deer Hunt)	25	20-75
A-26 (Bass Hill Archery Buck Hunt)	40	25-100
A-27 (Devil's Garden Archery Buck Hunt)	10	10-75
A-30 (Covelo Archery Buck Hunt)	40	20-100
A-31 (Los Angeles Archery Either-Sex Deer Hunt)	500	200-2,000
A-32 (Ventura/Los Angeles Archery Late Season Either-Sex Deer Hunt)	New Hunt	50-300

These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and overwinter adult survival, final tag quotas may fall below the proposed range.

The proposal provides a range of tag numbers for the hunts listed from which a final number will be determined for each hunt, based on the post-winter status of the herd. The number of tags is designed to allow the appropriate harvest of bucks and does in the population, while achieving or maintaining the buck and doe ratios at or near objective levels set forth in the approved deer herd management plans. Administrative procedures and the Fish and Game Code require the Commission to receive proposed changes to the current regulation prior to the time when final, post-winter deer herd surveys are conducted in the affected hunts.

During spring (March/April), herd surveys are conducted to determine the proportion of fawns which have survived the winter. This information is necessary for estimating the approximate size of the herd and the predicted number of bucks and does available next season. The number of bucks and does needs to be estimated prior to the hunting seasons to determine how many surplus bucks or does will exist over and above the number required to maintain the desired buck ratio objectives stated in the approved deer herd management plans.

The final tag numbers for each affected hunt will be reflected in the Final Statement and will be selected from the range of values provided by this proposal. These final values for license tag numbers will be based upon findings from the annual herd composition counts.

(b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 200, 202, 203, 220, and 4370, Fish and Game Code.

Reference: Sections 200, 202, 203, 203.1, 207, and 4370, Fish and Game Code.

(c) Specific Technology or Equipment Required by Regulatory Change: None.

(d) Identification of Reports or Documents Supporting Regulation Change:

2002 Draft Environmental Document Regarding Deer Hunting.

(e) Public Discussions of Proposed Regulations Prior to Notice Publication:

In 2000, the Department held a total of twenty-three (23) "Deer Stakeholder" meetings throughout the state. The meetings were open to the public, and the Department provided information on a variety of deer management strategies and issues including: Deer Assessment Unit (zone complex) planning and tag draw method alternatives. Attendees were asked to participate in a survey and public comment was also received. The dates and locations of these meetings were as follows:

July 24, 2000 - Chico
July 25, 2000 - Modesto
July 26, 2000 - Fresno
July 27, 2000 - Bakersfield
August 9, 2000 - Folsom
August 10, 2000 - Truckee
August 22, 2000 - Bishop
August 23, 2000 - Long Beach
August 24, 2000 - El Cajon
September 12, 2000 - Santa Barbara
September 28, 2000 - Salinas
October 17, 2000 - Eureka
October 18, 2000 - Red Bluff
October 19, 2000 - Susanville
October 20, 2000 - Redding
October 23, 2000 - Alturas
November 1, 2000 - Rohnert Park
November 14, 2000 - Yreka
November 16, 2000 - Merced
November 21, 2000 - Arroyo Grande
December 7, 2000 - Livermore
December 11, 2000 - El Centro
December 14, 2000 - Redlands

In addition, the Department conducted four public meetings in which regulation change concepts and specific proposals for mammals and furbearers, including deer were presented and discussed, and additional public comment was received. The dates and locations of these meetings were as follows:

November 7, 2001 in Fresno
November 13, 2001 in San Diego
November 29, 2001 in Monterey
December 13, 2001 in Sacramento

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

1. Consolidate C Zone Archery Seasons and Hunts Into One C Zone Archery Only Tag

Modify valid zone for Hunt A-1 from Zone C-1 to Zones C-1 and C-4. This proposal was considered and rejected because it would continue to unnecessarily restrict archery hunting opportunity in the C Zones.

2. Modify Season for Hunt A-22

There is no reasonable alternative to the proposed action.

3. Modify Season for Hunt A-31

There is no reasonable alternative to the proposed action.

4. Delete Hunt A-23

There is no reasonable alternative to the proposed action.

5. Establish New Archery Hunt A-32

Modify Hunt A-32 proposal from a either-sex deer to buck deer. This alternative was considered and rejected because it would unnecessarily restrict the take of antlerless deer in an area where the harvest of antlerless deer is supported by population conditions and recommendations in the deer herd management plans.

6. Minor Editorial Changes To Hunt Titles

There is no reasonable alternative to the proposed action.

7. Number of Tags

There is no reasonable alternative to the proposed action.

(b) No Change Alternative:

1. Consolidate C Zone Archery Seasons and Hunts Into One C Zone Archery Only Tag

The no change alternative was considered and rejected because existing regulations would continue to specifically restrict archery hunters in the C Zones, disproportionately to general season hunters holding C Zone tags.

2. Modify Season for Hunt A-22

The no change alternative was considered and rejected because current harvest data would not be available for inclusion in population modeling and the Environmental Document analysis.

3. Modify Season for Hunt A-31

The no change alternative was considered and rejected because current harvest data would not be available for inclusion in population modeling and the Environmental Document analysis.

4. Delete Hunt A-23

The no change alternative was considered and found inadequate at addressing existing redundancy in harvest objectives with Hunt A-31.

5. Establish New Archery Hunt A-32

The no change alternative was considered and found inadequate to attain the project objectives of providing additional hunting opportunity and meeting deer herd plan objectives.

6. Minor Editorial Changes To Hunt Titles

The no change alternative was considered and found inadequate at addressing consistency and clarity in regulations.

7. Number of Tags

The no change alternative was considered and found inadequate to attain the project objectives. Retaining the current number of tags for the hunts listed may not be responsive to changes in the status of the herds. The deer herd management plans specify objective levels for the proportion of bucks in the herds. These ratios are maintained and managed in part by modifying the number of tags. The no change alternative would not allow management of the desired proportion of bucks stated in the approved deer herd management plans.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and following initial determinations relative to the required statutory categories have been made.

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businessmen to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.

(c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

(e) Nondiscretionary Costs/Savings to Local Agencies: None.

(f) Programs Mandated on Local Agencies or School Districts: None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4: None.

(h) Effect on Housing Costs: None.

INFORMATIVE DIGEST (Policy Statement Overview)

Existing regulations provide for archery hunting in the C Zones with a general C Zone tag (Zones C-2 and C-3 archery seasons); Hunt A-1 (Zone C-1 Archery Hunt); Hunt A-2 (Zone C-4 Archery Hunt); and with an Archery Only #1 or #2 tag (Zones C-2 and C-3 archery seasons). While general C Zone tagholders can hunt during the general season in all four zones (C-1 through C-4), and during the C-2 and C-3 archery seasons, archery method hunters are restricted to hunting no more than two zones with any single archery specific tag. In an effort to alleviate restrictions on C Zone archery hunters, the proposal would create a single C Zone Archery Only tag by the following actions: 1) modify general C Zone tag valid zone and season use by removing Zones C-2 and C-3 archery seasons; 2) modify Hunt A-1 from the Zone C-1 Archery tag to a C Zone Archery Only tag valid during the archery seasons only in Zones C-1 through C-4; 3) delete Hunt A-2, the Zone C-4 Archery Hunt; and 4) modify the use of Archery Only #1 and #2 tags by excluding Zones C-2 and C-3 from the list of valid zones.

Existing regulations provide for deer hunting seasons which extend through or occur totally within January for Area-specific archery Hunts A-22 (second period) and A-31. In order to facilitate the incorporation of the most accurate harvest data into population modeling and the Environmental Document analysis, the proposal would move seasons such that hunt seasons do not extend beyond December 31.

Existing regulations provide for identical area descriptions and seasons for Area-specific archery Hunts A-23 and A-31. The bag and possession limit for Hunt A-23 is one antlerless deer, while Hunt A-31 is one either-sex deer, creating an overlap in harvest objectives. In order to simplify and reduce redundancy in the regulation, the proposal would delete Hunt A-23.

Existing regulations provide deer hunting areas, seasons, bag and possession limits, and number of permits for Zone A. While the zone provides early season archery hunting and some limited late season archery hunting opportunities in the northern portion of the zone, no late season opportunity exists in the southern portion of the zone. The proposal would establish a new Area-specific archery Hunt A-32, the Ventura/Los Angeles Late Season Archery Either-Sex Deer Hunt. The hunt area would encompass those portions of Ventura and Los Angeles Counties within the A Zone, season beginning the second Saturday in November and extending for 23 consecutive days, a bag and possession limit of one either-sex deer, a tag range of 50-300 tags, and methods would be restricted to archery methods only. This proposal would meet a specific public demand for archery hunting which was eliminated by the modification of area boundaries for Hunts A-23 and A-31 in 1998. The proposed hunt would further assist in meeting harvest objectives and existing deer herd management plan recommendations within an area which is largely a firearms closure area.

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